



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 1215-00

2 August 2000

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 August 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Marine Corps on 29 November 1973 for two years. The record shows that on 4 July 1974 you reported to the Marine Barracks, Naval Support Activity, Naples, Italy, and remained there until 12 November 1975. You were released from active duty on 21 November 1975 with your service characterized as honorable. Subsequently, you were issued an honorable discharge at the end of your military obligation.

In your application, you are requesting the award of a Purple Heart because you were stabbed in the leg while serving in Naples, Italy.

The regulations pertaining to the Purple Heart as they apply to your case require that an individual be wounded in action against an enemy of the United States or while serving with friendly foreign forces engaged in an armed conflict against an opposition armed force in which the United States is not a belligerent party. Neither of these requirements were met during your service in Naples, Italy.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director